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PATENT

Case Docket No. BLOCKM.015A
Date: July 9, 1997

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Soika, et al.
Patent No. : 5,284,481
Issued : February 8, 1994
For : COMPACT COLLAPSIBLE INFUSION
APPARATUS
Examiner : John G. Weiss
Group Art Unit: 3303

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

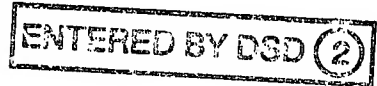
July 9, 1997

(Date)

Steven J. Nataupsky, Reg. No. 37,688

TRANSMITTAL LETTER

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231



Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) Establishment of Right of Assignee to Take Action and Revocation and Power of Attorney.
- (X) Verified Statement Claiming Small-Entity Status.
- (X) The Commissioner is hereby authorized to charge any fees which may be required to Account No. 11-1410. A duplicate copy of this sheet is enclosed.
- (X) Return prepaid postcard.

Steven J. Nataupsky
Registration No. 37,688
Attorney of Record

SIN-3234.2:lp
070897



BLOCKM.015A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee : Block Medical, Inc.)
Patent No. : 5,284,481)
Issued : February 8, 1994)
For : COMPACT COLLAPSIBLE)
INFUSION APPARATUS)
Examiner : John G. Weiss)

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. I have reviewed this document, and to the best of the Assignee's knowledge and belief, the Assignee is the owner of the entire right, title and interest in the above-referenced application.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

Patent No. : 5,284,481
Issued : February 8, 1994

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints Louis J. Knobbe, Registration No. 18,780; Don W. Martens, Registration No. 21,107; Gordon H. Olson, Registration No. 20,319; James B. Bear, Registration No. 25,221; Darrell L. Olson, Registration No. 28,247; William B. Bunker, Registration No. 29,365; William H. Nieman, Registration No. 30,201; Lowell Anderson, Registration No. 30,990; Arthur S. Rose, Registration No. 28,038; James F. Lesniak, Registration No. 25,240; Ned A. Israelsen, Registration No. 29,655; Drew S. Hamilton, Registration No. 29,801; Jerry T. Sewell, Registration No. 31,567; John B. Sganga, Jr., Registration No. 31,302; Edward A. Schlatter, Registration No. 32,297; Gerard von Hoffmann, Registration No. 33,043; Joseph R. Re, Registration No. 31,291; John M. Carson, Registration No. 34,303; Andrew H. Simpson, Registration No. 31,469; Daniel E. Altman, Registration No. 34,115; Anita M. Kirkpatrick, Registration No. 32,617; Ernest A. Beutler, Registration No. 19,901; Vito A. Canuso, Registration No. 35,471; William H. Shreve, Registration No. 35,678; Stephen C. Jensen, Registration No. 35,556; Steven J. Nataupsky, Registration No. 37,688; Michael H. Trenholm, Registration No. 37,743; AnneMarie Kaiser, Registration No. 37,649; Brenton R. Babcock, Registration No. 39,592; Nancy Ways Vensko, Registration No. 36,298; Jonathan A. Barney, Registration No. 34,292; Ronald J. Schoenbaum, Registration No. 38,297; Richard C. Gilmore, Registration No. 37,335; John R. King, Registration No. 34,362; William S. Reimus, Registration No. 38,279; John P. Giezentanner, Registration No. 39,993; Frederick S. Berretta, Registration No. 38,004; Christopher A. Colvin, Registration No. 39,147; Richard Kim, Registration No. 40,046; Glenn R. Smith, Registration No. 38,308; Craig S. Summers, Registration No. 31,430; Stephen C. Beuerle, Registration No. 38,380; Robert F. Gazdzinski, Registration No. 39,990; R. Scott Weide, Registration No. 37,755; Yasuo Muramatsu, Registration No. 38,684; Raimond J. Salenieks, Registration No. 37,924; Renée E. Canuso, Registration No. 36,657; Guy L. Cumberbatch, Registration No. 36,114; Michael L. Fuller, Registration No. 36,516; Neil S. Bartfeld, Registration No. 39,901; and Daniel E. Johnson, Registration No. 37,033, Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (714) 760-0404, as its attorneys

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with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please direct all communications relative to said application to the following correspondence address:

Steven J. Nataupsky
KNOBBE, MARTENS, OLSON & BEAR, LLP
620 Newport Center Drive
Sixteenth Floor
Newport Beach, CA 92660
Telephone: (714) 760-0404

BLOCK MEDICAL, INC.

Dated: _____

5/28/97

By: _____

James Dal Porto

Title: President

Address: 2532 White Road,
Irvine, CA 92714

SJN-2297:is
052797

ASSIGNMENT

TO WHOM IT MAY CONCERN:

For the sum of One Dollar and other valuable consideration to me in hand paid, receipt of which is hereby acknowledged, be it known that we, Emil H. Soika of 13728 Paseo Bonita, Poway, California, 92064 and Steven R. Payne of 14885 Waverly Downs Way, San Diego, California, 92128, have sold, assigned and transferred and by these presents do sell, assign, transfer and set over unto Block Medical, Inc. (a Delaware Corporation) having an office at 5957 Landau Court, Carlsbad, California, 92008, its successors, legal representatives, or assigns, all our right, title and interest in and to a certain invention relating to a "COMPACT COLLAPSIBLE INFUSION APPARATUS" by us devised and United States Application Serial No. 07/984,899, filed in the United States Patent and Trademark Office on December 2, 1992, (applicants' attorney is authorized to enter the serial number and filing date after execution of this document), and all reissue patents granted thereof, and all divisions, and continuations thereof, including the subject-matter of any and all claims which may be obtained in every such patent, and all foreign rights to said invention, and covenant that

we have full right to do so, and agree that we will communicate to said Block Medical, Inc. or its representatives all facts known to us respecting said invention, whenever requested, and testify in any legal proceedings, sign all lawful papers, make all rightful oaths and generally do everything possible to aid said Block Medical, Inc., its successors, assigns and nominees, to obtain and enforce proper patent protection for said invention in the United States of America and throughout the World.

The Commissioner of Patents and Trademarks is requested to issue the Letters Patent which may be granted for said invention or any part thereof unto said Block Medical, Inc. in keeping with this Assignment.

Done at Carlsbad, California this 30 day of Nov., 1992.

Dated: 11-30, 1992

Emil H Soika
EMIL H. SOIKA
Howard J. Barr
Witness

Dated: 11/30, 1992

Steven R. Payne
STEVEN R. PAYNE
Howard J. Barr
Witness

Applicant or Patentee: Soika et al.
Application or Patent No.: 5,284,481
Filed or Issued: February 8, 1994
For: **COMPACT COLLAPSIBLE INFUSION APPARATUS**



Attorney's Docket No.: BLOCKM.015A
Page 1

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL-ENTITY STATUS

I, the undersigned, do hereby declare that:

☒ I am an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Block Medical, Inc.

ADDRESS OF CONCERN: 2532 White Road, Irvine, CA 92714

I further declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both. I further declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in the patent or application identified above.

The individual, concern or organization identified above has not assigned, granted, conveyed or licensed, and is under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

If the rights held by the above-identified individual, concern or organization are not exclusive, each individual, concern or organization having rights in the invention are identified below. Each such individual, concern or organization must file separate verified statements averring to their status as small entities.

***NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).**

FULL NAME:

ADDRESS:

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small-entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: James Dal Porto

TITLE OF PERSON (if not an owner or individual): President

ADDRESS OF PERSON SIGNING: 2532 White Road, Irvine, CA 92714

SIGNATURE: _____

DATE: _____

5/28/97